

No. 188

In the
Supreme Court of the United States

OCTOBER TERM, 1948.

PUBLIC SERVICE COMMISSION OF THE STATE
OF MISSOURI, PETITIONER,

v.

INTERSTATE NATURAL GAS COMPANY, INCOR-
PORATED, ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE FIFTH CIRCUIT

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OPINION BELOW.

The opinion of the United States Court of Appeals for the Fifth Circuit (R. 103-105) is reported at 166 F. 2d 796.

JURISDICTION.

The order of the Court of Appeals was entered on May 12, 1948 (R. 109-112). The petition for a writ of certiorari was filed on August 2, 1948, and granted on October 11, 1948 (R. 118). The jurisdiction of this Court rests upon 28 U. S. C. 1254.

STATEMENT.

This case is a companion case to Federal Power Commission, Petitioner v. Interstate Natural Gas Company,

Inc., et al., No. 109, and has been consolidated with that case, and also Memphis Light, Gas and Water Division, Petitioner v. Interstate Natural Gas Company, Inc., et al., No. 209, and Illinois Commerce Commission, Petitioner v. Interstate Natural Gas Company, Inc., et al., No. 212, for purposes of presentation and argument to the Court.

The issues and questions presented in each of these cases are identical and to file a separate brief in this case would be merely repetition of the brief filed in No. 109 by the Solicitor General of the United States:

Therefore, for the purposes of this case the brief of the Solicitor General of the United States in Federal Power Commission, Petitioner v. Interstate Natural Gas Company, Inc., et al., No. 109 is adopted in toto as the brief of Public Service Commission of the State of Missouri, and each and every statement of fact, argument, conclusion of law, citation of authority, and conclusion contained in the said brief of the Solicitor General of the United States is hereby concurred in and adopted as such in behalf of the Public Service Commission of the State of Missouri, Petitioner in this cause.

Respectfully submitted,

JOHN P. RANDOLPH,

General Counsel,

Public Service Commission,

State of Missouri.

Attorney for Petitioner.